

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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DR. MILTON PRYSTOWSKY, in his own right  
and as EXECUTOR OR THE ESTATE OF ROSE  
PRYSTOWSKY,

Plaintiff,

v.

TGC STORES, INC., ADT SECURITY  
SERVICES, INC., INVACARE CORPORATION,  
GOLDEN BROTHERS, INC. d/b/a GOLDEN  
TECHNOLOGIES, PRIDE MOBILITY  
PRODUCTS CORP. and JOHN DOES 4 – 10

Defendants.

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PRIDE MOBILITY PRODUCTS CORP.

Third-Party Plaintiff,

v.

DEWERT MOTORIZED SYSTEMS, PHOENIX  
MECANO, INC. and KINGSTEC INDUSTRIES,  
INC., and JOHN DOES 1 – 10

Third-Party Defendants.

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This matter having come before the Court on Motion of PRIDE MOBILITY PRODUCTS CORP. (“Pride”) for summary judgment, and the Court having duly considered the moving papers submitted in support of Pride’s motion, and finding merit in said motion and for other good cause appearing;

IT IS on this day of \_\_\_\_\_, 2010;

**Civil Action No.  
2:07-cv-00072-SDW-MCA**

**ORDER**

**ORDERED** that Pride's motion for partial summary judgment dismissing all claims and cross-claims against Pride seeking damages for personal injuries sustained by plaintiffs as time-barred under N.J.S.A. 2A:14-2, is **GRANTED**;

**ORDERED** that Pride's motion for partial summary judgment dismissing all claims and cross-claims against Pride seeking damages for the Wrongful Death of Rose Prystowsky, as time-barred under N.J.S.A. 2A:31-3, is **GRANTED**; and,

**IT IS FURTHER ORDERED** that Pride's motion for summary judgment dismissing complaint and all cross-claims against Pride on the grounds that because the Second Amended Complaint is procedurally invalid and a nullity, it must be dismissed and the Court lacks personal jurisdiction over Pride is **GRANTED**.

A copy of the within Order shall be sent to all counsel within \_\_\_\_days of the date hereof.

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Hon. Susan D. Wigenton